

REMARKS

Applicants have thoroughly considered the Examiner's remarks in the June 28, 2007 Office action and have amended the application to more clearly set forth aspects of the invention. This Amendment A amends claims 1, 9, 17 and 20, and claims 6 and 14 have been canceled. No new matter has been added. Claims 1-20 are presented in the application for further examination. Reconsideration of the application as amended and in view of the following remarks is respectfully requested.

Applicants request that the Examiner now have the drawings as originally filed reviewed and accepted.

Claim Rejections Under 35 U.S.C. § 102

Claims 1-20 stand rejected under 35 U.S.C. §102(b) as being anticipated by Wray, US Pre-G Pub. No. 20010010076. Applicants respectfully submit that Wray fails to disclose each and every element of the claims.

As an overview, Wray discloses a system for “an end-to-end secure communication path between a client 10 of a first end system 11 and a target service 12 of a second end-system which client 10 wishes to use.” (Wray, para. [0024]). In particular, “when the client 10 wishes to establish a communication session with service, the SLS entities first carry out a handshake procedure the purpose of which is two-fold...” (Wray, para. [0026]). Wray further describes additional features of secret key and public key implementations in FIGS. 4 and 5 and para. [0062]-[0079].

To the contrary, embodiments of the invention use the popular Simple Mail Transport Protocol (SMTP) to authenticate the exchange of public information between to clients. (See also, Specification, para. [0007]). Amended claim 1 recites, in part, “transmitting from a **first client** to a previously known address of a **second client**, via an electronic mail protocol, a first electronic mail (e-mail) message comprising the first UID, **wherein the electronic mail protocol comprises a mail server operating the Simple Mail Transport Protocol (SMTP)**; receiving from the second client, via the electronic mail protocol, a second e-mail message comprising a second UID and a copy of the first UID; **verifying the copy of the first UID is identical to the first UID at the first client**; and transmitting from the first client to the previously known address of the second client, via the electronic mail protocol, a third e-mail message comprising a copy of the second UID...” Aspects of the invention use e-mail to send

secure key exchange between two clients, and not between a client and a server that the client wishes to access. Because of the inherent high degree of confidence that a recipient of an e-mail address is not easily re-directed to somewhere else, embodiments of the invention provide a secure and convenient means for two clients to establish a secure communication and trust the authenticity of each other.

On the other hand, Wray teaches away from embodiments of the invention by disclosing or suggesting the secure communication between a client and a server. In other words, the server determines which kind of security is needed. See also Wray, para. [0025]. In order to securely communicate with the server, the SLS protocol (which is determined by the server) first needs to carry out whether the client can establish such secure communication channel. See also Wray, para. [0026]-[0028]. Also, nowhere does Wray disclose or suggest using an e-mail message for authenticating a digital object. Contrary to embodiments of the invention, Wray again teaches away embodiments of the invention by specifying that “the protocol PDUs are passed between the parties operating the protocol in the form of electronic documents formatted according to a self-describing markup language.” (Wray, para. [0005], see also FIG. 1, where the XML generator layer is above protocols such as e-mail protocol). Furthermore, FIGS. 2-5 and paragraphs 56, 57, 61, and 68 continue to fail to disclose or suggest each and every element of amended claim 1. In particular, as illustrated in FIG. 2, when Bob receives a message from Alice “that includes a random number a , computes g^a in Bob’s reply, Bob chooses his own random b , computes g^b and sends this value to Alice.” (Wray, para. [0056]). Nowhere does Wray disclose or suggest that Bob sends “a second **e-mail** message comprising a second UID and a copy of the first UID.” Therefore, for at least the reasons above, Applicants submit that Wray cannot anticipate amended claim 1. Hence, amended claim 1 is patentable and its dependent claims 2-5 and 7-8 are also patentable over the cited art. Therefore, the rejection of claims 1-5 and 7-8 under 35 U.S.C. §102(b) should be withdrawn.

Similarly, amended claim 9 recites, “receiving from a first client, via an electronic mail protocol, a first **electronic mail (e-mail)** message comprising a first unique identifier (UID), wherein the electronic mail protocol comprises a mail server operating the Simple Mail Transport Protocol (SMTP); generating a second UID at a second client; transmitting from the second client to a previously known address of the first client, via the electronic mail protocol, a second **e-mail** message comprising the second UID and a copy of the first UID; verifying the

copy of the first UID is identical to the first UID at the first client; and receiving from the second client, via the electronic mail protocol, a third **e-mail** message comprising a copy of the second UID; wherein at least one of the messages received further comprises the digital object.” For at least the reasons above, Applicants submit that Wray cannot anticipate each and every element of amended claim 9. Therefore, claim 9 and its dependent claims 10-13 and 15-16 are patentable over the cited art. Hence, the rejection of claims 9-13 and 15-16 under 35 U.S.C. §102(b) should be withdrawn.

Amended claim 17 recites, in part, “transmitting from a first client to a previously known address of a second client, via an electronic mail protocol, a first **electronic mail (e-mail) message** comprising the first UID, **wherein the electronic mail protocol comprises a mail server operating the Simple Mail Transport Protocol (SMTP)**; receiving from the second client, via the electronic mail protocol, a second **e-mail** message directed to the first client comprising a second UID and a copy of the first UID; verifying the copy of the first UID is identical to the first UID at the first client; and transmitting from the first client to the previously known address, via the electronic mail protocol, a third **e-mail** message to the second client comprising a copy of the second UID; wherein at least one of the messages transmitted to the previously known address further comprises the digital object.” Because Wray teaches away from using e-mail messages for authenticating digital objects between two clients, Applicants submit that claim 17 and its dependent claims 18-19 are patentable over the cited art. Hence, the rejection of claims 17-19 under 35 U.S.C. §102(b) should be withdrawn.

Lastly, amended claim 20 recites, in part, “a random number generator generating a first unique identifier (UID); a network interface transmitting to a previously known address, via an electronic mail (e-mail) protocol, a first **e-mail** message comprising the first UID; the network interface receiving, via the electronic mail protocol, a second **e-mail** message comprising a second UID and a copy of the first UID, wherein the copy of the first UID and the first UID is compared for verification; and the network interface transmitting to the previously known address, via the electronic mail protocol, a third **e-mail** message comprising a copy of the second UID; wherein at least one of the messages transmitted to the previously known address further comprises the digital object.” For at least the reasons above, Applicants submit that Wray cannot disclose or suggest each and every element of claim 20 as amended. Therefore, the rejection of claim 20 under 35 U.S.C. §102(b) should be withdrawn.

Applicants submit that the claims are allowable for at least the reasons set forth herein. Applicants thus respectfully submit that claims 1-20 as presented are in condition for allowance and respectfully request favorable reconsideration of this application.

Although the prior art made of record and not relied upon may be considered pertinent to the disclosure, none of these references anticipates or makes obvious the recited aspects of the invention. The fact that Applicants may not have specifically traversed any particular assertion by the Office should not be construed as indicating Applicants' agreement therewith.

Applicants wish to expedite prosecution of this application. If the Examiner deems the application to not be in condition for allowance, the Examiner is invited and encouraged to telephone the undersigned to discuss making an Examiner's amendment to place the application in condition for allowance.

The Commissioner is hereby authorized to charge any deficiency or overpayment of any required fee during the entire pendency of this application to Deposit Account No. 19-1345.

Respectfully submitted,

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